

Attorney's Docket No.: 12758-051US1
Siemens Ref.: 1998P01301WOUS

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Herbert Heiss, et al. Art Unit : 2665
Serial No. : 09/623,775 Examiner : Clemence S. Han
Filed : September 8, 2000
Title : METHOD FOR REMOVING ATM CELLS FROM AN ATM
COMMUNICATION DEVICE

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO WITHDRAW HOLDING OF ABANDONMENT BASED ON
FAILURE TO RECEIVE OFFICE ACTION

In accordance with MPEP §711.03(c)(I)(A), Applicants hereby petition to withdraw the holding of abandonment in the subject application for failure to respond to the final Office Action dated June 30, 2004.

The undersigned hereby confirms that the June 30, 2004 Office Action was not received. The undersigned has reviewed the file for the subject application and confirms that the Office Action was not in the file as of February 2, 2004 (a copy has since been retrieved from PAIR). The enclosed copy of our master mail log (Exhibit A) confirms that the Office Action for this case (12758-051US1) was not received during the two-week period following its mailing. The enclosed copy of our master docketing records (Exhibit B) confirms that the Office Action for this case (12758-051US1) was not docketed for response on December 30, 2004, nor was a reminder docketed on September 30, 2004 as is this firm's general practice.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit

2/7/2005

Signature

Sharon Fernald

SHARON FERNALD

Typed or Printed Name of Person Signing Certificate

The attached Declaration, with exhibits, from Senior Docketing Specialist Janine M. Goodwin of our Boston office also attests to the foregoing statements of fact.


This matter was brought to the undersigned's attention as a result of a telephone call from the Examiner to attorney Ruth J. Ma on February 2, 2005. Ms. Ma is an associate in our Boston office.

In view of the foregoing, Applicants respectfully request for the Examiner to withdraw the holding of abandonment in this case, and to reset the period for response to the Office Action.

Applicants' undersigned attorney can be reached in our Boston Office at 617-521-7896. Please charge any fees necessary for this Petition to Deposit Account No. 06-1050.

Respectfully submitted,

Date: February 7, 2005



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